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October 14, 2015

**VIA ECF and EMAIL**

Honorable Analisa Torres  
United States District Court  
500 Pearl Street  
New York, NY 10007

Re: iPayment, Inc. v. 1<sup>st</sup> Americard, Inc., et al  
Case No.: 15-01904

Dear Judge Torres:

We represent Respondents in the above matter and I write in response to Petitioner's inflammatory letter to the Court dated October 9, 2015.

Respondents wholly reject and deny Petitioner's statements to the Court about their attempts to secrete, abscond, hide and dilute assets and harm Petitioner's business. In fact, Petitioner's subsidiary has taken steps to steal business from Kelly Grainger as a result of the tragic death of her husband Greg Grainger on April 24, 2015 in a boating accident in Charleston Harbor, SC.

Respondents have learned that Petitioner and/or its subsidiary are posing as 1<sup>st</sup> Americard representatives and are informing Respondents' merchant customers that due to the death of Greg Grainger that they are no longer in the business of issuing cash advances to its customers.

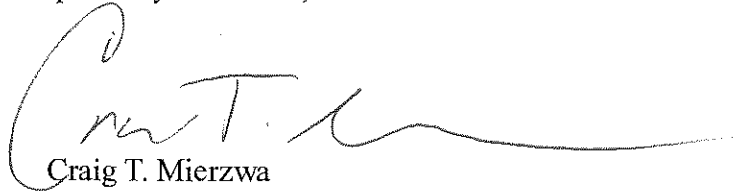
Petitioner's conduct is incredulous and cannot be countenanced by this Court. These alleged issues raised by the Petitioner are not before the Court and are done out of desperation to try to taint Respondents' efforts to vacate the February 2015 arbitration award.

Respondents have attempted not to get dragged into a letter writing war, however, Petitioner, a billion dollar company, has forced Respondents to bring this to the attention of the Court. Respondents could no longer sit on the sidelines during Petitioner's attempted smear campaign.

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Respondents respectfully request that this Court grant its motion to vacate the arbitration award in full.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig T. Mierzwa", with a long horizontal flourish extending to the right.

Craig T. Mierzwa

cc: William Dahill, Esq. (via ECF and Email)